

FIRST REGULAR SESSION

SENATE BILL NO. 119

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EMERY.

Pre-filed January 7, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

0545S.02I

AN ACT

To amend chapter 27, RSMo, by adding thereto one new section relating to the state sovereignty commission.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 27, RSMo, is amended by adding thereto one new
2 section, to be known as section 27.155, to read as follows:

**27.155. 1. There is hereby established the "State Sovereignty
2 Commission", which shall:**

3 **(1) Identify proposed federal legislation that infringes on**
4 **Missouri's state sovereignty under the Tenth Amendment to the United**
5 **States Constitution;**

6 **(2) Advise and make recommendations to the general assembly**
7 **regarding any state legislation necessary to preserve the integrity and**
8 **principles of the Tenth Amendment to the United States Constitution;**

9 **(3) Meet annually with each member of the Missouri**
10 **congressional delegation to conduct inquiries regarding all votes cast**
11 **or intended to be cast on proposed federal legislation that may affect**
12 **Missouri's state sovereignty; and**

13 **(4) Refer cases to the attorney general when the federal**
14 **government takes steps that require the state or a state officer to enact**
15 **or enforce a provision of federal law that lies outside Congress's**
16 **enumerated powers and intrudes on the sovereignty reserved to the**
17 **states by the Tenth Amendment to the United States Constitution. The**
18 **attorney general is authorized to seek appropriate relief to preserve**
19 **the state's sovereignty.**

20 **2. The commission shall consist of seven members, two members**
21 **appointed by the governor, two members appointed by the president**

22 pro tempore of the senate from among the members of the senate, two
23 members appointed by the speaker of the house of representatives from
24 among the members of the house of representatives, and one member
25 appointed by the chief justice of the supreme court from among the
26 members of the judiciary. The commission members shall serve without
27 compensation, except that members shall, subject to appropriation, be
28 reimbursed for reasonable and necessary expenses actually incurred in
29 the performance of their official duties.

30 3. All members shall be appointed to serve two-year terms and
31 may be appointed to successive terms. Any senator or member of the
32 house of representatives who serves on the commission shall be
33 removed from the commission upon the completion of their service in
34 the general assembly. Any vacancy in the commission shall be filled in
35 the same manner as the original appointment.

36 4. The commission shall hold an annual meeting at which it shall
37 elect from its membership a chairperson and vice chairperson. The
38 commission may hold such additional meetings as may be required in
39 the performance of its duties.

40 5. The governor, general assembly, and judiciary shall provide
41 administrative support and staff as necessary for the effective
42 operation of the commission from existing resources. Any expenditure
43 of the commission shall be subject to appropriation.

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